

## **REMARKS**

### **I. Status of Claims**

The Applicants have carefully considered the Office Action dated August 31, 2010, and the references it cites. Claims 29-32 are cancelled without prejudice or disclaimer and claims 34-36 are amended. Accordingly, claims 1-12, 14-24 and 33-36 are pending in this application. The Examiner rejects:

- claims 1,3, 7, 9, 12, 15-16, and 20 under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent Publication No. 2003/0222973 to Hiroi et al. (*Hiroi*);
- claims 2, 4-6, 10, 14, 17-19, 23, and 29-32 under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Hiroi* in view of U.S. Patent Publication No. 2002/0051181 to Nishimura (*Nishimura*);
- claims 8 and 21 under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Hiroi* in view of U.S. Patent No. 6,236,760 to Bagni et al. (*Bagni*);
- claims 11 and 24 under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Hiroi* in view of U.S. Patent No. 7,003,040 to Yi (*Yi*);
- claims 33 and 34 under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Hiroi* and *Nishimura* in further view of U.S. Patent Publication No. 2003/0112354 to Ortiz et al. (*Ortiz*); and
- claims 35 and 36 under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Ortiz* in view of *Nishimura*.

In response, the Applicants submit the foregoing amendments and the following remarks.

### **II. IDS filed on August 3, 2010**

In the Office Action, the Examiner alleges that two references (CN1362883A and JP2001-127847A) fails to comply with 37 C.F.R 1.97 by failing to provide a concise explanation. In response, Applicants note that the concise explanation can be satisfied by submitting an English-language equivalent. *See MPEP § 609.04(a)(III)* (“An English-language equivalent application may be submitted to fulfill this requirement if it is, in fact, a translation of a foreign language application being listed in an information disclosure

*statement*”). Accordingly, Applicants request the Examiner to consider all references listed in the IDS filed on August 3, 2010.

### **III. Claim Rejections Under 35 U.S.C. § 102(b)**

Claim 1 recites an apparatus for transmitting a signal of a moving image in a mobile communication terminal capable of reproducing the moving image comprising, *inter alia*, a first receiver for receiving a communication signal; a second receiver for receiving a television signal; an input section for generating signals for capturing and transmitting the television signal; and a control section for receiving, according to the signals generated by the input section, a command signal for capture and transmission of the television signal, and controlling to capture and transmit a portion of the television signal while a moving image associated with the television signal is displayed.

In the Office Action, the Examiner contends that the video input unit 505 is analogous to a second receiver. Applicants disagree because the “video input unit 505 includes, for example, a camera to input an external video image to the terminal device.” See *Hiroi* at [0055]. That is, *Hiroi* describes generating an image signal via the camera. Thus, *Hiroi* does not teach or suggest a second receiver for receiving a television signal as recited in claim 1.

Applicants submit that the recited claims allow, for example, transmitting a signal of a moving image in a mobile communication terminal having a receiving function of a television signal. However, the object of *Hiroi* is to provide a video telephone system between the terminal having heterogeneous performance and a display screen size. In view of the foregoing, the present invention allows, for example, performing the capture and transmission at the same time while playing the receiving image. However, *Hiroi* teaches performing the operation of acquiring, playing, capturing, coding, and transmitting the image in sequence. See *Hiroi* at steps 707-711 of FIG. 5.

Although *Hiroi* describes each operation of playing, capturing, transmitting is performed together with other processing, *Hiroi* does not clearly explain what the other processing actually mans. *Hiroi* also fails to teach, suggest, or disclose performing the capture and transmission at the same time while playing the received image.

Thus, *Hiroi* fails to teach, suggest, or disclose controlling to capture and transmit a portion of the moving image signal while the moving image is displayed as recited in claim 1, or performing the step of reproducing the television signal simultaneously with the steps of capturing and transmitting the image as recited in claim 12.

Further, *Ortiz* and/or *Nishimura* does not cure at least the above-noted deficiencies of *Hiroi*. Thus, for at least the foregoing reasons, claim 1 and all claims dependent therefrom would not have been obvious from *Ortiz* applied alone or in any reasonable combination with *Nishimura* and/or *Yi*. Further, claims 12 and all claims depending therefrom are patentable over the cited art for at least substantially the same reasons set forth above in connection with claim 1.

#### **IV. Claim Rejections Under 35 U.S.C. § 103(a)**

Claim 33 recites an apparatus for transmitting a television signal in a mobile communication terminal capable of receiving the television signal comprising: an input section for generating signals for capturing and transmitting a received television signal; a control section for generating, according to the signals generated by the input section, a command signal for capture and transmission of the received television signal, the control section controlling to capture and transmit a portion of the television signal while the received television signal is displayed; a memory for storing the television signal captured according to a capture command generated by the control section; and a transmission section for transmitting the captured image stored in the memory.

In the Office Action, the Examiner acknowledges that *Hiroi* does not teach or suggest a television signal and relies on *Ortiz* to cure this deficiency. The Examiner states that it would be obvious “to modify *Hiroi*’s system with the capability of receiving television broadcast signals as taught by *Ortiz*, so as to provide an enhanced system capable of receiving television signal in order to improve the user’s viewing experience.”

Applicants disagree with the Examiner’s analysis because *Ortiz* describes that a “basic technology can be modified on such devices so that they may be adapted to ... receive venue-based RF transmissions from at least one venue-based RF source.” *See Ortiz at [0057]*. Moreover, *Ortiz* teaches using a security unit “which prevent wireless data from being transmitted/received from hand held device 11 beyond a particular frequency range,

outside of a particular geographical area associated with a local wireless network, or absent authorization codes.” See *Ortiz* at [0059]. Thus, *Ortiz* teaches using a separate network for receiving secure information. *Ortiz* does not relate to transmitting such images. Thus, the alleged combination of *Hiroi* and *Ortiz* relates to receiving secure information, but not retransmission of that secure information. Thus, no combination of *Hiroi* and/or *Ortiz* teaches or suggests an input section for generating signals for capturing and transmitting a received television signal as recited in claim 1.

Thus, for at least the foregoing reasons, claim 33 and all claims dependent therefrom would not have been obvious from *Hiroi* applied alone or in any reasonable combination with *Ortiz*.

Claim 35 recites a method for transmitting a television signal in a mobile communication terminal capable of receiving the television signal comprising video-processing and displaying the received television signal and capturing a still image of the displayed signal and transmitting the captured still image while the television signal is displayed.

In the Office Action, the Examiner acknowledges that that *Ortiz* does not disclose capturing a still image of the displayed image and transmitting the captured still image. As noted above, *Ortiz* is related to receiving secure information over a secure network. Thus, there would be no need to modify it to capture a still image and retransmit that image as the Examiner does by including *Nishimura*.

Thus, for at least the foregoing reasons, claim 35 and all claims dependent therefrom would not have been obvious from *Hiroi* applied alone or in any reasonable combination with *Ortiz*.

## **V. Conclusion**

The Applicants submit that the above amendments and arguments are fully responsive to the Office Action dated August 31, 2010. Further, the Applicants submit that, for at least the foregoing reasons, all pending claims are in condition for allowance and notice to that effect is requested. Should the Examiner have any questions, the Examiner is encouraged to contact the undersigned at the telephone number indicated below.

Respectfully submitted,

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